IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

NOTICE OF MOTION NO.505 OF 2006
IN
CENTRAL EXCISE APPEAL NO.89 OF 2004

The Commissioner of Central Excise,
Thane II, Mumbai .. Appellant
v/s.
M/s.Kriplon Synthetics (P) Ltd. .. Respondent

Ms.S.V.Bharucha with Mr.R.C.Master i/by Dr.T.C.Kaushik for the appellant.

CORAM : R.M. LODHA &
J.P.DEVADHAR, JJ.

DATED : 22ND MARCH, 2006.

P.C.

Office has reported that service of the appeal as well as the notice of motion has been effected on the respondent. Nobody appears for the respondent to oppose the notice of motion.

2. We perused the affidavit in support of the notice of motion.

3. For the reasons stated therein, we are satisfied that the order dated 26.10.2004 passed by the Prothonotary & Senior Master deserves to be set aside. We order accordingly.

4. Appeal is restored to file. Objections, if any, shall be removed by the appellant within three weeks from today.

5. Office is directed to post the appeal for admission after three weeks.

6. Notice of motion stands disposed of.

(R.M.LODHA, J.)

(J.P.DEVADHAR, J.)